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4 **UNITED STATES DISTRICT COURT**
5 **SOUTHERN DISTRICT OF CALIFORNIA**
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7 LA CUNA DE AZTLAN SACRED
8 SITES PROTECTION CIRCLE
9 ADVISORY COMMITTEE; et al.,

Plaintiffs,

vs.

10 UNITED STATES DEPARTMENT OF
11 THE INTERIOR; et al.,

Defendants.

CASE NO. 10cv2664-WQH-WVG
ORDER

12 HAYES, Judge:

13 IT IS HEREBY ORDERED that, pursuant to Plaintiffs' Notice of Withdrawal (ECF No.
14 102), the Application for Temporary Restraining Order (ECF No. 16) is withdrawn. The
15 request for a ruling on the Application for Temporary Restraining Order by Defendant-
16 Intervenor Genesis Solar, LLC ("Genesis Solar") (ECF No. 106) is denied.

17 IT IS FURTHER ORDERED that, pursuant to Plaintiffs' Notice of Voluntary Dismissal
18 (ECF No. 108) and Federal Rule of Civil Procedure 41(a)(1)(A)(i), Defendant-Intervenor
19 Genesis Solar and Defendant-Intervenor Palo Verde Solar I, LLC are dismissed without
20 prejudice, and the Motions to Intervene and Motions to Dismiss filed by Bright Source Energy,
21 Inc., Calico Solar, LLC and Genesis Solar (ECF Nos. 28, 57, 65, 89, 95) are denied as moot.
22 The request by Genesis Solar for "a briefing schedule for a Rule 41(a)(2) hearing" (ECF No.
23 107 at 3) is denied without prejudice to raise the issue before any court in which Plaintiffs
24 "file[] an action based on or including the same claim against the same defendant." Fed. R.
25 Civ. P. 41(d).

26 DATED: January 25, 2011

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28 **WILLIAM Q. HAYES**
United States District Judge